

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

UNITED STATES OF AMERICA                    )  
  )  
  )       CR 109-127  
  )  
MORGAN CHASE WOODS                        )

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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court.<sup>1</sup> Therefore, the prior motions to dismiss the indictment are **NULLITIES** (doc. nos. 44, 56), and Defendant's supplemental motion to dismiss is **DENIED** (doc. no. 82).

SO ORDERED this 21<sup>st</sup> day of July, 2010, at Augusta, Georgia.

  
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J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>In explaining the Court's ruling, a brief procedural history of this case will be helpful. As discussed at length in the Magistrate Judge's Report and Recommendation, Defendant previously filed two motions to dismiss the indictment. (*See* doc. no. 95, p. 3.) However, because of various developments in the case following the filing of those motions, the Magistrate Judge previously instructed Defendant to, if still appropriate, re-file, *inter alia*, his prior motions to dismiss to "make his arguments based on the current state of this case." (*See id.* at 3-4 (citing doc. no. 79, p. 5).) Defendant was informed that upon the filing of his new motion(s), his earlier motions would be treated as nullities, and only those issues raised in the new motion(s) would be considered. (*See id.* at 4 (citing doc. no. 79, p. 5).) Defendant filed a supplemental motion to dismiss the indictment (doc. no. 82), and the Magistrate Judge based his recommendation on the arguments made in that motion. Accordingly, this Order includes a ruling on the prior motions to dismiss (doc. nos. 44, 56), as well as the supplemental motion to dismiss (doc. no. 82).